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1 — Gov. Abbott vows swift action to remedy water crisis, Corpus Christi Caller-Times, 12/15/2016

<http://www.caller.com/story/news/local/texas/state-bureau/2016/12/15/gov-abbott-vows-swift-action-remedy-water-crisis/95489176/>

Several state agencies and representatives of the U.S. Environmental Protection Agency were dispatched to Corpus Christi on Thursday to provide assistance after industrial contaminants infected the city's water supply.

2 — Residents in parts of Corpus Christi cleared to resume using tap water again, Fox News, 12/16/2016

<http://www.foxnews.com/us/2016/12/16/residents-in-parts-corpus-christi-cleared-to-resume-using-tap-water-again.html>

Officials told residents in outlying parts of Corpus Christi that they could resume using tap water, and an asphalt company blamed for contaminating the supply pledged to help Texas environmental workers quickly restore safe drinking water for the rest of the Gulf Coast city.

3 — Temporary restraining order filed against companies regarding Corpus Christi water crisis, KSAT, 12/15/2016

<http://www.ksat.com/news/temporary-restraining-order-filed-against-companies-regarding-corpus-christi-water-crisis>

An attorney in Corpus Christi has gotten a temporary restraining order against Valero, Ergon Asphalt and Emulsions, Inc. and any of their subsidiaries that might be responsible for the current water crisis in the city.

4 — Here's what EPA says it's doing about lead in tap water, USA Today, 12/15/2016

<http://www.usatoday.com/story/news/2016/12/15/lawmakers-do-more-protect-rural-americas-tap-water/95435272/>

Federal and state governments must do more to protect the health of rural Americans in communities where drinking water may be contaminated by lead or not even tested for the brain-damaging toxin, lawmakers and environmental advocates said in response to a USA TODAY Network investigation this week.

5 — Here's what EPA says it's doing about lead in tap water, San Angelo Standard Times, 12/15/2016

<http://www.gosanangelo.com/story/news/2016/12/13/heres-what-epa-says-s-doing-lead-tap-water/94812122/>

The U.S. Environmental Protection Agency released a new Drinking Water Action Plan in late November that the agency called a "national call to action."

6 — WIPP 'extremely close' to reopening, manager says, Albuquerque Journal, 12/15/2016

<https://www.abqjournal.com/910111/wipp-extremely-close-to-reopening-manager-says.html>

The Waste Isolation Pilot Plant in southeast New Mexico has been working to recover from an accident in February 2014 in which a drum of nuclear waste overheated and burst underground, contaminating a large swath of the salt mine repository.

7 — Lafayette, La, and Baltimore win EPA air monitoring award, KATC, 12/16/2016

<http://www.katc.com/story/34070823/lafayette-la-and-baltimore-win-epa-air-monitoring-award>

Cities in Louisiana and Maryland have won a national Environmental Protection Administration contest for plans to have residents set out hundreds of air pollution sensors, with results made public.

8 — Residents, Honoré complain about Sorrento landfill odors, call for DEQ to block expansion of BFI facility, Baton Rouge Advocate, 12/15/2016

http://www.theadvocate.com/baton_rouge/news/article_4f8c0720-c33d-11e6-be54-7f132583ea4e.html?sr_source=lift_amplify

Russel Honoré, the retired Army lieutenant general who is now an outspoken environmental activist, has called on the state Department of Environmental Quality “to do your job” and block a proposed expansion of the BFI Colonial Landfill.

9 — Bassett: EPA should fix the renewable fuel standard (opinion), Houston Chronicle, 12/15/2016

<http://www.houstonchronicle.com/opinion/outlook/article/Bassett-EPA-should-fix-the-renewable-fuel-10799577.php>

Energy is key to nearly everything that happens here in America. Think for a second about electricity and the countless things in your house that rely on you getting the power you need at a price you can handle.

10 — EPA Seeking to Redefine Small Business Under Chemicals Law, BNA, 12/15/2016

<https://www.bna.com/epa-seeking-redefine-n73014448619/>

Chemical company reporting requirements may change as the Environmental Protection Agency considers revising the size standards for small chemical manufacturers under the amended Toxic Substances Control Act.

11 — Beyond Standing Rock, others worry Dallas firm's Dakota Access pipeline will affect their water, Dallas Morning News, 12/15/2016

<http://www.dallasnews.com/business/energy/2016/12/15/beyond-standing-rock-others-worry-dallas-firms-dakota-access-pipeline-will-affect-water>

A Native American tribe's fight over its water source has grown into an international cause, with all attention focused on the Dakota Access pipeline's route in southern North Dakota. But contractors on the project, which passes through three other states, have been drilling under and through rivers that are equally critical water sources for hundreds of thousands of people.

Gov. Abbott vows swift action to remedy water crisis

John C. Moritz, USA Today Network 5:05 p.m. CST December 15, 2016

State and federal agencies deployed to Corpus Christi to investigate and to assist residents in need.



(Photo: John C. Moritz)

AUSTIN – Several state agencies and representatives of the U.S. Environmental Protection Agency were dispatched to Corpus Christi on Thursday to provide assistance after industrial contaminants infected the city's water supply.

The effort was being coordinated by the Texas Division of Emergency Management, an arm of the Department of Public Safety, as residents of the city along Texas' Coastal Bend struggled to make do without water to drink, to cook with and even to bathe.

Gov. Greg Abbott said in a statement that his office is "aggressively monitoring the situation" and sought to assure Corpus Christi residents that authorities were working to swiftly remedy the situation.

Meanwhile, the state was coordinating efforts to deliver bottled drinking water to the region.

"Governor Abbott's top priority is a transparent response and the safety of Corpus Christi residents, and our office will continue to provide any and all support to remedy this situation as quickly as possible," Abbott's office said.

The Texas Commission on Environmental Quality, the agency assigned to protect the state's drinking water supply, sent a crew to Corpus Christi late Wednesday after reports emerged that chemicals from one of the region's refineries was released into the water supply, prompting a citywide ban on any use of tap water.

"We were investigating at the site all night long, sampling the water supply and working with the city," said TCEQ spokesman Terry Clawson.

The agency released a statement saying it "has initiated multiple measures, including sampling to determine the extent of potential impact."

The EPA is working with the state officials to analyze the test results, a spokesman for the federal agency said.

State lawmakers from the area, meanwhile, issued a statement at midday confirming that the chemicals released are classified as hazardous substances.

"Initial reports from TCEQ indicate that a backflow incident from an industrial chemical tank occurred that may have released indoline and hydrochloric acid into the Corpus Christi public water system," state Sen. Juan Hinojosa and state Reps. Todd Hunter and Abel Herrero said in a news release. "This is based on initial reports and the quantity of chemicals have not been determined at this time."

According to the Centers for Disease Control, hydrochloric acid is harmful to human skin and respiratory systems. It can also severe eye damage. The National Center for Biotechnology Information says indoline also is harmful to the skin, eyes and respiratory system. Neither substance should be swallowed, the federal centers said.

Among the other state agencies deployed to Corpus Christi were the Texas Department of State Health Services, the Texas Department of Aging and Rehabilitation Services, the Texas A&M Forest Service and the Texas Military Department.

David Gray, a spokesman for the EPA region that includes Texas, said his office sent "emergency response on-scene coordinators" to work with local and state officials in Corpus Christi.

Brian Zabcik, the clean water advocate for Environment Texas, said Corpus Christi residents deserve to be kept informed of any investigation into the contamination.

"People expect and deserve drinking water that is clean and won't make them sick," Zabcik said. "The city and state needs to get to the bottom of this problem and make sure the pollution stops, the water is safe, and responsible parties are held accountable."

John C. Moritz covers Texas government and politics for the USA Today Network in Austin. Contact him at John.Moritz@caller.com (<mailto:John.Moritz@caller.com>) and follow him on Twitter [@JohnnieMo](https://twitter.com/JohnnieMo) (<https://twitter.com/JohnnieMo>).



Residents in parts of Corpus Christi cleared to resume using tap water again

Published December 16, 2016

Associated Press

CORPUS CHRISTI, Texas — Officials told residents in outlying parts of Corpus Christi that they could resume using tap water, and an asphalt company blamed for contaminating the supply pledged to help Texas environmental workers quickly restore safe drinking water for the rest of the Gulf Coast city.

The city released a map late Thursday showing the parts of the city where it was now safe to drink the water, nearly 24 hours after warning all residents to stop using it because of harmful chemical from an industrial plant that leaked into the water supply. The largest section in the middle of the community should continue to refrain from using tap water until further notice, officials said.

More on this...

Officials: Chemical in Texas city water identified; warning still in place

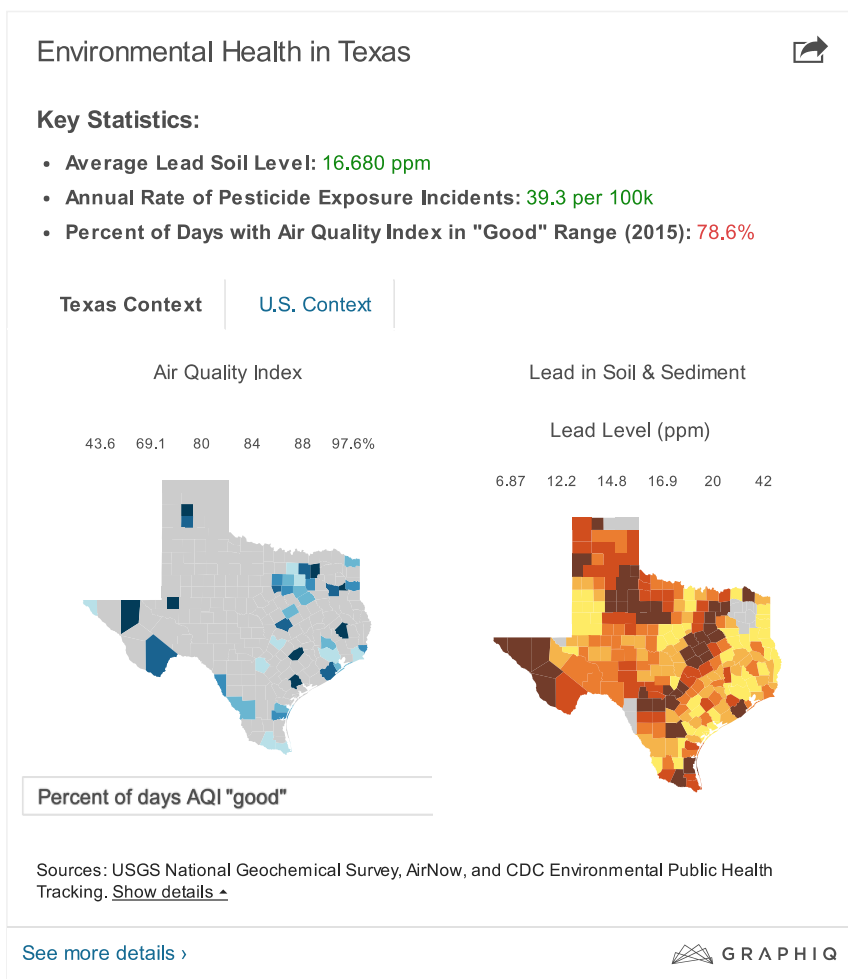
Corpus Christi, Texas, tells residents not to use tap water

Fracking can taint drinking water, EPA report finds

Ergon Asphalt and Emulsions Inc. said in a statement late Thursday night that it has been in contact with the Texas Commission on Environmental Quality and was "working cooperatively to provide all information to ensure state officials can remedy the situation as quickly as possible."

The statement from the Mississippi-based company, which specializes in the development of engineered paving and pavement preservation products, does not take responsibility for the spill. However, City Councilwoman Carolyn Vaughn told the Corpus Christi Caller-Times that the city believes Ergon was responsible.

The company didn't respond to emails from The Associated Press seeking comment.



City officials sent out notifications late Wednesday advising residents to avoid using tap water for anything, including consumption and showers, until test results could confirm its safety. City officials had warned that "Boiling, freezing, filtering, adding chlorine or other disinfectants, or letting the water stand will not make the water safe."

Tensions built throughout Thursday as officials held several news conferences. At one, a group of residents began chanting, "What do we want? Clean water! When do we want it? Now!"

The leak forced school closures, disrupted commerce and caused a run on bottled water at supermarkets in the Gulf Coast city.

"I feel there's a lot more information that we're not being told," Reba Gandara told the Corpus Christi-Caller Times. "We deserve transparency and (knowing) what's going on with the water that is being provided to us. And it's not just the water — it's how it occurred."

Mayor Dan McQueen said he didn't think the release of the chemical extended beyond the industrial district. "We are pushing very hard to get our water turned on as soon as we can," McQueen said.

City spokeswoman Kim Womack told KRIS-TV that officials did not find a "backflow preventer" at the site. "They're saying there is one and we're telling them 'show us,'" she said.

"In the simplest terms, someone was careless when they were injecting chemicals with a pump and ... when the injection occurred it crossed over into our water system," she told KRIS-TV.

Anywhere from three to 24 gallons of the chemical got into the water system. It is an asphalt emulsifier that can burn the skin in concentrated amounts.

"We haven't confirmed that this product is even in the flow system," McQueen said.

City councilman Michael Hunter told the Caller-Times early Thursday that it was unlikely that the leaked chemicals were concentrated enough to do harm, but that officials must take every precaution.

He said the problem was first reported by a local company that said the water coming from its faucets had a sheen. He did not identify that company.

The discovery of the leak led to the closure of schools, disrupted businesses and led to long lines at grocery stores, as residents stocked up on bottled water. At least two large retailers, H-E-B and Wal-Mart, sent for more bottled water to be shipped in.

The TCEQ said it has initiated "multiple measures," including sampling "to determine the extent of potential impact." Meanwhile, Gov. Greg Abbott said his office is coordinating with the TCEQ, the Texas Division of Emergency Management and the Department of State Health Services on the issue. The Texas Division of Emergency Management is coordinating shipments of drinking water to the city.

It is just the latest in a string of water scares for this Gulf Coast city of 320,000 people.

In May, Corpus Christi officials issued their third boil-water advisory in a year. That notice lasted two weeks and officials at the time said it was largely a precautionary measure taken after nitrogen-rich runoff from rain flowed into the water system, resulting in low chlorine disinfectant levels in the water supply.

Boil-water notices were issued last year because of elevated levels of E. coli and another for low chlorine levels, the Caller-Times previously reported. The notices mirrored two others that were issued in 2007.

City crews have worked to reconfigure some water mains to ensure that water keeps circulating and to prevent bacteria growth. But an overarching concern is an old water system where more than half of 225 miles of cast-iron pipe needs to be upgraded. Many of the pipes were installed in the 1950s and when they decay they're prone to collapse or to slow water flow, allowing bacteria to fester.

Civic leaders have expressed concern that recurring water advisories and warnings could cause long-term harm to the area's vibrant tourism business.

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NEWS [HTTP://WWW.KSAT.COM/NEWS]

Temporary restraining order filed against companies regarding Corpus Christi water crisis

City says water not safe to drink

By Chris Shadrock [<http://www.ksat.com/author/cshadrock>] - Web - News Producer

Posted: 4:26 PM, December 15, 2016

Updated: 4:26 PM, December 15, 2016

CORPUS CHRISTI, Texas - An attorney in Corpus Christi has gotten a temporary restraining order against Valero, Ergon Asphalt and Emulsions, Inc. and any of their subsidiaries that might be responsible for the current water crisis in the city.

Tuesday night, just before midnight, officials declared the water unsafe to drink for the city's more than 300,000 people. The city said a backflow incident from a chemical tank is to blame for the contamination.

"Our small businesses and community have suffered through numerous water boil orders and now are facing a menacing chemical-exposure risk," said Craig Sico, the attorney who filed to get the restraining order. "The community has a right to know who is responsible for this crisis, the amount and type of chemical agents that are involved and information about how long we have been exposed to this threat."

The restraining order prohibits the companies from destroying or altering any evidence that might pertain to the case.

Valero issued the following statement:

"While we have been named in lawsuits, we are not the source of the contamination in question. We continue to believe this is a localized backflow issue from Ergon in the area of Valero's asphalt terminal. This issue is not related to Valero's Corpus Christi refineries. Valero is cooperating with the City, TCEQ, and EPA. Valero is offering its resources to assist in isolating the issue and helping to confirm the City's water supply is safe. In the interim, Valero is joining other companies to provide truckloads of bottled water to Corpus Christi.

City spokeswoman Kim Womack said the city is waiting on tests conducted by the city and the Texas Commission on Environmental Quality to find out the quality of the water.

The warning prompted schools to close and a rush on water at grocery stores, where long lines formed with people pushing carts filled with packages of bottled water. A decision about Friday classes had not been made as of 4 p.m.

Multiple companies have increased the number of water shipments to the bayside city.

[corpus christi water crisis lawsuit.pdf \[https://www.scribd.com/document/334330822/corpus-christi-water-crisis-lawsuit-pdf#from_embed\]](https://www.scribd.com/document/334330822/corpus-christi-water-crisis-lawsuit-pdf#from_embed) by [David Ibanez \[https://www.scribd.com/user/329918326/David-Ibanez#from_embed\]](https://www.scribd.com/user/329918326/David-Ibanez#from_embed) on Scribd

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Do more to protect rural America's tap water, lawmakers say

By Laura Ungar, USA TODAY 11:46 a.m. EST December 15, 2016



(Photo: Robert Deutsch, USA TODAY)

Federal and state governments must do more to protect the health of rural Americans in communities where drinking water may be contaminated by lead or not even tested for the brain-damaging toxin, lawmakers and environmental advocates said in response to a USA TODAY Network investigation this week.

The investigation found the United States' drinking water enforcement system doesn't make small utilities play by the same rules as large ones, exposing millions of Americans to lead-tainted or untested water. About 4 million Americans get their water from small operators who skipped required tests or didn't conduct them properly, according to an analysis of records from the federal government and all 50 states. The investigation also revealed that about 100,000 people get drinking water from small utilities that discovered excessive lead contamination, but failed to treat the water to remove it even though the problem is known by state and

federal regulators assigned to keep water clean and safe.

4 million Americans could be drinking toxic water and would never know

[\(http://www.usatoday.com/story/news/2016/12/13/broken-system-means-millions-of-rural-americans-exposed-to-poisoned-or-untested-water/94071732/\)](http://www.usatoday.com/story/news/2016/12/13/broken-system-means-millions-of-rural-americans-exposed-to-poisoned-or-untested-water/94071732/)

"Water quality is a vital priority" no matter the size of a community, said U.S. Rep. [Bill Pascrell, Jr.](#), D-New Jersey. "This is not a Third World country and we shouldn't act like a Third World country....The federal government has to help. We need all hands on deck."

STORY FROM ALCATEL What do workers want? Flexibility.

Pascrell and others said the nation needs to invest more money in drinking water infrastructure, strengthen safety rules and do a better job at enforcing existing regulations.

"The moral justice on this is really clear," added Ruth Ann Norton, president and CEO of Green & Healthy Homes Initiative. "American kids don't live only in Baltimore or only in Philadelphia or other big cities. They live in West Virginia and West Texas and Oklahoma too....These have been wholly overlooked communities."

Pascrell said it's well worth the cost to control corrosion and keep pipes from leaching lead, a brain-damaging toxin that is especially harmful to babies and children. "It costs money to keep water pure and clean," he said.

Regulatory changes would also help, Pascrell said. In June, he was one of the signers of a letter to the [U.S. Environmental Protection Agency](#) calling for reducing the lead "action level," the standard above which water systems must take action to reduce contamination. A utility now exceeds the standard when more than 10% of water samples collected show lead levels above 15 parts per billion. The lawmakers propose lowering that to 10 parts per billion. The FDA allows only 5 parts per billion of lead in bottled water.

Lawmakers urge the EPA to reduce its standard for lead in drinking water

[\(http://www.usatoday.com/story/news/2016/06/30/lawmakers-urge-epa-reduce-its-standard-lead-drinking-water/86576032/\)](http://www.usatoday.com/story/news/2016/06/30/lawmakers-urge-epa-reduce-its-standard-lead-drinking-water/86576032/)

U.S. Rep. [Dan Kildee](#), D-Michigan, who also signed that letter, said the [Flint water crisis](#) in his state was an "an extreme case in terms of lead exposure," but "I've come to understand just how pervasive this problem is."

"Whether it's an urban or rural community with limited resources, we can't ignore the fact that clean drinking water is not cheap," he said. "It's going to require significant investment. The federal government or state or some combination have to get in the game."

Kildee said that's partly because some of the hardest-hit communities are the poorest, and can't simply raise water rates on customers or rely on community coffers. Compared with larger, more affluent communities, he said, "it's not an even playing field. The quality of the water you drink shouldn't be dependent on the income of the zip code you live in."

Kildee has been working for change. The Kildee-(Fred) Upton provision in the Water Infrastructure Improvements for the Nation Act, which is awaiting the president's signature, would require that once the lead action level has been exceeded, the state has 24 hours to notify the affected community. If it doesn't, the provision says the EPA must.

He said these sorts of measures are important, but so is the long-term goal of replacing old lead pipes, fixtures and solder.

"As there's more infrastructure investment, we need to include water infrastructure," he said. "People tend to think of infrastructure as roads and bridges. In Flint, we had what is tantamount to a bridge collapse that poisoned thousands and thousands of people."

U.S. Rep. Frank Pallone, Jr., D-New Jersey, echoed those sentiments.

"Safe and clean drinking water should be a guarantee for all Americans, but unfortunately water systems around the nation are in dire need of modernization..." he said. "We need to ensure strong enforcement of drinking water standards, empower communities by providing better information about drinking water monitoring, and support communities that cannot afford needed infrastructure improvements."

A spokesman for Senate Majority Leader Mitch McConnell, R-Ky., said the senator supported a provision in the recently-passed water infrastructure act authorizing assistance for small, disadvantaged communities with inadequate drinking water systems. This includes grants for programs providing household water quality testing.

Beyond Flint: Excessive lead levels found in almost 2,000 water systems across all 50 states

(<http://www.usatoday.com/story/news/2016/03/11/nearly-2000-water-systems-fail-lead-tests/81220466/>)

Drinking water specialist Johanna de Graffenreid, who is the coastal campaign organizer for the Gulf Restoration Network in New Orleans, said state governments also play a crucial role in enforcing drinking water safety rules and helping struggling utilities, but are often hamstrung by a lack of money.

"They are so underfunded now," she said. "Our drinking water system is underfunded, under-repaired and under-enforced...We have the basic infrastructure here but we're not maintaining it."

Norton, of Green & Healthy Homes, said she would welcome more infrastructure investments and would also like to see a greater push to prevent lead poisoning and educate the public and its leaders about the problem.

On Tuesday, she was on her way to the National League of Cities' Mayors' Institute on Housing, Hazards and Health in Dallas, and said participants had asked her for copies of the USA TODAY Network investigation so they could discuss the issues it raised. She said she hopes President-elect Donald Trump and his cabinet also take up the issue of lead in water. She pointed out that the USA TODAY Network investigation focused on voters Trump appealed to during the campaign — working-class people in the small, rural "flyover" communities.

Requests to the communications director for Trump's transition team and Trump's deputy communications director requesting interviews have not yet been answered.

Reducing lead poisoning from water is "a massively important, doable, achievable goal," Norton said. "It would be a big win that would improve the lives of millions of Americans."

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Here's what EPA says it's doing about lead in tap water

Laura Ungar , USAToday 10:44 a.m. CST December 15, 2016



(Photo: Henrietta Wildsmith, The Times)

The U.S. Environmental Protection Agency released a new Drinking Water Action Plan in late November that the agency called a “national call to action.”

The EPA says in the Nov. 30 document that the agency's highest priority is to “promote equity and build capacity” in small and disadvantaged communities by:

- Updating certification guidelines for water system operators and encouraging states to set aside Drinking Water State Revolving Fund money to implement them.

- Creating better ways to track State Revolving Fund agreements and providing more income-based subsidies for communities through the program.

- Establishing a “one-stop” online portal to help communities find funding to bolster water infrastructure.

- Promoting regional partnerships to work toward these goals.

- Finding and promoting the best strategies for funding and capacity-building for small utilities.

4 million Americans could be drinking toxic water and would never know

(<http://www.usatoday.com/story/news/2016/12/13/broken-system-means-millions-of-rural-americans-exposed-to-poisoned-or-untested-water/94071732/>)

Beyond Flint: Excessive lead levels found in almost 2,000 water systems across all 50 states

(<http://www.usatoday.com/story/news/2016/03/11/nearly-2000-water-systems-fail-lead-tests/81220466/>)

At the end of a year of intense scrutiny of the agency, and the state governments that help it enforce safe-drinking-water laws, the EPA also identified steps it plans to take to address issues for utilities of all sizes. Among those actions:

- Requiring utilities and states to report Safe Drinking Water Act compliance data electronically.

- Developing “priority indicators” for troubled drinking water systems to focus state and EPA resources for oversight and assistance.

- Collaborating with other agencies and supporting local efforts to link drinking water data with public health data, such as blood lead levels in children.

- Strengthening rules to improve communication with the public.

- Continuing “enhanced oversight activities” on lead and copper.

- Enhancing training and assistance for states regarding lead and copper regulations.

- Updating an EPA guide for protecting drinking water in schools.

Some states, utilities balk at disclosing locations of lead water pipes

(<http://www.usatoday.com/story/news/2016/04/21/lead-water-service-line-location-transparency/83201228/>)

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WIPP 'extremely close' to reopening, manager says

By Lauren Villagran / Journal Staff Writer - Las Cruces Bureau

Thursday, December 15th, 2016 at 5:51 pm



Workers at the Waste Isolation Pilot Plant practice transporting waste in anticipation of reopening the site. (SOURCE: WIPP)

LAS CRUCES – A U.S. Department of Energy field office manager on Thursday said WIPP is “extremely close” to reopening nearly three years after a radiation accident forced closure of the nuclear waste repository.

The Waste Isolation Pilot Plant in southeast New Mexico has been working to recover from an accident in February 2014 in which a drum of nuclear waste overheated and burst underground, contaminating a large swath of the salt mine repository.

Facility managers must take dozens of corrective actions in response to a DOE operational readiness review, which found issues in emergency management, ground control, radiation protection of workers and oversight. The issues must be corrected before the facility begins receiving waste from the nation’s nuclear sites.

Speaking at a town hall meeting, DOE Carlsbad Field Office Manager Todd Shrader said WIPP workers have been working seven days a week and performed a “dry run” this week to practice emplacing waste.

“It means we are extremely close,” Shrader said. “We have been saying for six months that our goal is to open in December. If it takes a little bit longer, that’s OK, but we’re at the end state of the readiness process now.”

The readiness review by DOE inspectors identified 21 issues that needed to be corrected. Six of those have been addressed and approved by DOE, according to Phil Breidenbach, manager of WIPP contractor Nuclear Waste Partnership. He said the rest of the issues should be taken care of “over the next few days.”

The review also listed 15 findings that DOE said can be addressed after WIPP resumes taking waste.

There have been multiple challenges in the cleanup.

Work has been slowed by limited ventilation underground, since air moving in and out of the radiologically contaminated mine must be filtered. Workers must wear cumbersome protective gear and respirators to work in contaminated areas, including Panel 7 where waste will be stacked when WIPP reopens.

And it has been a challenge to keep up with underground maintenance, especially of the salt ceiling that must be constantly bolted back to prevent dangerous roof collapses of the kind that have dogged the facility this year.

Breidenbach said workers have doubled their rate of roof bolting over the past two months, and four waste storage rooms in Panel 7 are "stabilized."

The salt is destined to "creep" and encapsulate the waste permanently once WIPP is full and permanently sealed.

The drum of defense-related nuclear waste that burst underground was improperly packaged at Los Alamos National Laboratory and shipped to WIPP for disposal. LANL must complete its own corrective actions before it can begin sending waste to WIPP again.

The New Mexico Environment Department must sign off before WIPP can reopen. Six state inspectors completed their own review of WIPP operations last week, the results of which have not been made public.

The state "performed a very thorough inspection above ground and below ground," Breidenbach said. "They found some areas for us to improve but overall they were very complimentary of the progress they saw. We need their authorization... we expect to get that shortly."



Lafayette, La, and Baltimore win EPA air monitoring award

Posted: Dec 16, 2016 4:48 AM CST
Updated: Dec 16, 2016 4:48 AM CST

By Brian Richard

LAFAYETTE, La. (AP) - Cities in Louisiana and Maryland have won a national Environmental Protection Administration contest for plans to have residents set out hundreds of air pollution sensors, with results made public.



Courtesy MGN Online

Lafayette, Louisiana, and Baltimore each get \$40,000 to help implement those plans. After a year, they can qualify for up to \$10,000 more.

An EPA news release Thursday said 22 communities entered the Smart City Air Challenge .

The agency gave honorable mentions to New York; Mesa County, Colorado; Raleigh, North Carolina; and Minneapolis/St. Paul, Minnesota.

Baltimore plans to set out a network of 300 ozone and nitrogen sensors, and put the data onto the city's website.

Lafayette's consolidated government proposed a partnership between the university, local government and a non-government organization to set out 300 sensors for ozone and particulate matter.

http://www.theadvocate.com/baton_rouge/news/article_4f8c0720-c33d-11e6-be54-7f132583ea4e.html

Residents, Honoré complain about Sorrento landfill odors, call for DEQ to block expansion of BFI facility

BY DAVID J. MITCHELL | DMITCHELL@THEADVOCATE.COM DEC 15, 2016 - 9:40 PM



Advocate staff photo by DAVID J. MITCHELL

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Residents and local officials fill the Sorrento Community Center Thursday evening to air concerns about the proposed expansion of the BFI Colonial Landfill in Sorrento. Several residents and officials complained about odors they said come from the landfill and wanted the expansion blocked.

David Mitchell

SORRENTO – Russel Honoré, the retired Army lieutenant general who is now an outspoken environmental activist, has called on the state Department of Environmental Quality “to do your job” and block a proposed expansion of the BFI Colonial Landfill.

The appearance Thursday night by the leader of the Green Army came as residents and local officials complained about foul odors from the large dump off La. 70, aired worries groundwater contamination in drinking water wells from leaching contaminants, and questioned the wisdom of expanding a landfill that accepts industrial waste even though it is located in a flood-prone wetland.

Honoré said DEQ, which he asserted is understaffed from budget cuts during former Gov. Bobby Jindal's administration, has failed to enforce the Clean Air and Water acts in other communities and needs to protect people affected by the landfill and other small communities where large corporations have set up shop.

Story Continued Below

"I know when I'm driving from New Orleans when I pass through Sorrento. I don't have to look at my GPS because you can smell it, particularly in certain weather conditions," Honoré told a DEQ hearing officer at the Sorrento Community Center. "I never knew what it was until the issue came up some time ago and citizens asked us to support the effort to block the extension of this waste facility."

BFI is asking DEQ to allow a change in the layout of a previously approved expansion. The proposed changes include a "vertical expansion" of the new section of landfill, though the company says the landfill's previously approved maximum height of 186.3 feet won't be exceeded.

Landfill and state officials realized in mid-2014 the layout did not adhere to a prior permit, posed problems for final capping of the landfill, and did not leave enough room for a perimeter ditch, leading to a redesign.

Under the proposed modification, nearly 195 of the site's 287 acres would be used to dispose of nearly 31 million cubic yards of waste. The Colonial Landfill, which is owned by BFI parent Republic Services, sits behind the next-door Gator Landfill, a smaller facility that is visible from La. 70.

The Colonial Landfill would continue to accept residential, solid industrial and commercial waste, sewage sludge and minutely radioactive oil and gas exploration waste, but landfill officials also want to add construction and demolition debris. About 5 percent of the landfill's waste would come from out of state.

The DEQ hearing officer and a court reporter were present Thursday to receive comments from residents and landfill employees about the proposed permit changes but not to answer questions. Close to 100 people were present, including several local elected leaders: Sorrento Mayor Mike Lambert; state Sen. Eddie Lambert, R-Gonzales, and Ascension Parish Council Chair Randy Cloutre and Councilmen Bill Dawson and Daniel "Doc" Satterlee.

Though the landfill has been at the site since 1973, neighbors and hunters who use the surrounding swamps complained about a rise in foul, sometimes nauseating and disorienting odors from the landfill since the fall of 2015.

Chad Brown, 50, who lives in Sorrento with his wife and children and is part of a local hunting club near the landfill, said it had remained out of sight and out of mind for years until 2015.

"Since October of '15, it became a personal issue. I've had numerous occasions of horrible, foul odors coming on to my property from the landfill," Brown said.

He said he tried to tolerate the smell for about a month, figuring it would pass but it didn't. Brown said he has made 42 odor complaints about the landfill since late March, the latest being on Dec. 11.

"On at least six occasions, the odors have been in my home. They've awakened us at night," he said.

He said the odors happen most often in early morning and evening when air is heavy and the odors can also be detected while driving on La. 70. He said no one has been yet able to give him an acceptable explanation for the foul smells.

Lambert called for DEQ to get to bottom of the smell. Meanwhile, Clint Cointment, a Gonzales surveyor and former candidate for Ascension Parish president, called on the Parish Council and the Sorrento Town Council to issue resolutions of opposition to the permit.

Dawson, the parish councilman, petitioned DEQ in October to have the public hearing and extend the comment period because of the August flood. He said his analysis of the permit shows the expansion would allow the landfill to take on an additional 9 million cubic yards of waste in addition to the existing unused capacity that can handle another 6 million cubic yards.

He said BFI, if it accepts those 15 million cubic yards, could earn up to \$200 million just on industrial waste.

Several BFI officials were present taking notes during the hearing but declined to comment afterward, referring questions to a spokesman who could not be reached by deadline Thursday.

But Lindsey Turtle, an environmental manager working for Republic Services, said during the hearing that the company works closely with DEQ and other regulators to run the landfill in an environmentally responsible way and to minimize odors, including gas and leachate collection and storm water systems. She noted the landfill is located in an industrial area with other facilities that could be producing those odors.

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BY HARMAN

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Bassett: EPA should fix the renewable fuel standard

By Daryl Bassett December 15, 2016

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Photo: Joe Raedle, Staff

The Renewable Fuel Standard is a program designed with the understandable goal to increase the amount of renewable fuels that end up in everyone's gas tank. Well-intended though it may be, this program has turned out to incentivize gasoline exports from refineries out of the U.S. while upsetting competition among gasoline retailers and handing an advantage to big retail chains over their small-business competitors.

Energy is key to nearly everything that happens here in America. Think for a

second about electricity and the countless things in your house that rely on you getting the power you need at a price you can handle.

A lot of thought goes into making sure that electricity is there every day for every one of us.

Now consider gasoline. Whether you live in a rural community or in the middle of a big city, you probably wouldn't be able to do one-tenth of the things you do each day without it. It gets you to work, brings your family together on holidays, and delivers the goods you need at the store and the food you eat at a restaurant. Imagining our lives without gasoline is almost impossible - which is why our government needs to put a lot of thought into making sure it's affordable and abundant.

But not everyone in the government has been getting that message. Take the Renewable Fuel Standard (RFS), a program designed with the understandable goal to increase the amount of renewable fuels that end up in everyone's gas tank. Well-intended though it might be, this program has turned out to incentivize gasoline exports from refineries out of the U.S. while upsetting competition among gasoline retailers and handing an advantage to big retail chains over their small-business competitors.

Does any of that sound like it will work out well for gasoline consumers here in the U.S.? No, it doesn't - and the situation won't improve until this program is fixed. Here's why.

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Bassett: EPA should fix the renewable fuel standard

Under the RFS, refineries (which make gasoline) and importers (which bring it in from somewhere else) are obligated to live up to the government's targets for how much renewable fuel gets blended into gasoline. The problem is, they usually aren't even involved in the blending! So in order to demonstrate compliance with the renewable targets, they often end up

needing to buy renewable credits, pieces of paper known as RINs, that are generated at the point where renewable fuels are blended into pure gasoline. This happens downstream from refineries at what industry folks call "the rack."

If you own one of those blending points and are not a refinery or importer, you don't have to turn those renewable credits into the government to show compliance with its program. Instead, you're free to sell your renewable credits back to the refiners. So for some people, the RFS has turned out to be a welcome source of windfall profits. Who are these lucky lottery winners?

In lots of cases, it's large oil companies or big gasoline retail convenience store chains with enough resources to blend their own fuel at the rack.

What's wrong with a few big gasoline retail chains enjoying extra profits generated by the renewable credits they sell on the market?

Well, nothing - if you're one of those chains. But if you happen to be an independent gasoline retailer (many of which are minority-owned) whose competition up the street is suddenly sitting on a pile of cash, it's not so great. It means your competitor's parent company has a newfound ability to spend money on

buying up stations, or making their stations look more appealing than yours. Whatever they do, it's not helpful to a small business earning a living as an independent gasoline retailer.

Meanwhile back at the refinery, some are starting to feel squeezed.

Each year, the renewables targets get higher, making those renewable credits more expensive.

If you're not blending fuel downstream, you might start thinking about exporting the gasoline you make - which reduces the renewable credits you owe. And if you're an importer, do you really want to go on bringing fuel to the U.S. if it costs less to ship to somewhere else? This is where things get hairy for consumers - when incentives are being created to shrink the pool of gasoline available in the U.S., which spells trouble for prices at the pump in the long run. And as some refiners get pushed over the brink, the possibility of price spikes gets greater.

There is a way to change all this. The government could have fuel blenders abide by the RFS and turn in the renewable credits they generate.

Eliminating that gap between refineries and fuel blenders would knock out the middle-man market for renewable credits,

which has given rise to an alarming number of cases of fraud and speculation by opportunists attracted to the high prices those pieces of paper fetch on the market.

It would restore fairness to the gasoline retail market and eliminate artificial incentives to export fuel from the U.S.

Our country has enough problems without needlessly creating new ones.

Let's fix the RFS.

Bassett, a former commissioner on the Arkansas Public Service Commission, is chairman of Empower Consumers, a Tennessee-based, nonprofit organization that advocates for public policies that can make energy cleaner and more affordable for all Americans.

December 15, 2016

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By [Tiffany Stecker](#) and [Pat Rizzuto](#)

Chemical company reporting requirements may change as the Environmental Protection Agency considers revising the size standards for small chemical manufacturers under the amended Toxic Substances Control Act.

The EPA is [requesting](#) comment on a possible decision to revise the standards that would exempt small producers from reporting certain data. This includes the location of a plant site, the quantity imported or manufactured, and the number of workers involved in the process.

The standards, established in the 1980s, describe which manufacturers are generally exempt from the reporting requirements.

Currently, producers of chemicals, pesticides, paints and adhesives, and petroleum products making less than \$4 million in annual sales are not subject to the same reporting mandates as large companies, with some exceptions.

The EPA may adjust the sales values if the federal price index for chemical products changes more than 20 percent.

Between 1988 and 2015, the price of chemicals has grown by 129 percent. More than 75 percent of the Small Business Administration's size standards for firms are set higher than \$7.5 million in annual sales.

"EPA's existing \$4 million annual sales standard is an outlier at the low end of this range," the agency's pre-publication notice says.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act (Pub. L. No. 114-182), amended the 1976 Toxic Substances Control Act and became law June 22.

Help for Small Firms

The EPA has made a preliminary determination that the changes to the size standards are necessary under Section 8(a)(3)(C) of the new law, which requires the agency to consult with the

SBA and decide which manufacturers and processors are deemed “small” manufacturers, and whether such a determination is warranted.

Dan Newton, senior government relations manager for the Society of Chemical Manufacturers and Affiliates, told Bloomberg BNA his organization supports the agency’s plan to update the criteria that define small businesses under TSCA.

About 70 percent of the society’s members are small, specialty chemical manufacturers.

Newton pointed to comments the society provided the EPA in September regarding fees it will charge industry to recoup some of its chemicals oversight costs.

Business revenue is a reasonable approach to defining small businesses, but another approach would be to base the definition on the number of employees, the society said.

The EPA notice is scheduled to publish in the Federal Register on Dec. 15.

ENERGY 17 HRS AGO

Beyond Standing Rock, others worry Dallas firm's Dakota Access pipeline will affect their water



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DES MOINES, Iowa -- A Native American tribe's fight over its water source has grown into an international cause, with all attention focused on the Dakota Access pipeline's route in southern North Dakota. But contractors on the project, which passes through three other states, have been drilling under and through rivers that are equally critical water sources for hundreds of thousands of people.

One city managed to avoid the situation -- Bismarck, North Dakota, the center of government in the oil-rich state and home to 67,000 people. Others, including Des Moines, Iowa, didn't, despite protests that led to arrests.

At issue is whether a breach in the \$3.8 billion project, being built by Dallas-based parent company Energy Transfer Partners, will affect drinking water, given that it crosses more than 200 water bodies, including the Des Moines and Raccoon rivers. While utility officials in Iowa acknowledge it's likely there'll be an issue in the future, they're confident a leak won't affect the quality of the water.

"I think it's important to note that it isn't a matter of if there'll be eventually some kind of leak or rupture of the pipeline it's a matter of when and so we certainly want to be vigilant and have measures in place," Des Moines Water Works CEO Bill Stowe said.

Energy Transfer Partners counters that the 1,170-mile pipeline will be safe, with devices placed throughout to track pressure, temperature, density and flow that'll be monitored around the clock by people who can remotely shut off oil flow. Such emergency valves are on either side of the Des Moines and Raccoon rivers, ETP spokeswoman Vicki Granado said.

Pipe was laid early this month under the Des Moines River, and the route also crosses the Raccoon or its tributaries at three locations upstream from Des Moines, a city of more than 200,000 residents.

Stowe, whose utility has a half-million customers, said there is a plan to deal with an oil leak, and he works with the U.S. Department of Transportation to ensure regular inspections and appropriate flow-stopping measures.

He's more concerned about more commonplace water threats: spills from tanker trucks carrying anhydrous ammonia or petroleum products, as well as farm wastewater spills, sewage leaks and other contaminants.

The Dakota Access pipeline also crosses underneath the Mississippi River, which is a source of water for about 4,000 people in the southeast corner of Iowa and close to a water-treatment plant for the city of Keokuk. The utility's officials voiced concerns to the Iowa Utilities Board, telling them that a preferred route would be south of the city's intake, but the route wasn't changed. A leak could reach the intake within an hour.

Up in North Dakota, an early plan had the Dakota Access pipeline crossing the Missouri River 10 miles north of Bismarck, but the government rejected it in September 2014 because of the potential drinking water supply threat, the number of water and wetland crossings and proximity to homes, documents show.

Instead, it was run near the Standing Rock Sioux reservation, which depends on water from Lake Oahe, a Missouri River reservoir. The tribe took ETP to court over the water threat as well as threats to cultural artifacts, and an encampment protest on federal land swelled to thousands at one point.

On Dec. 4, the Army decided to keep ETP from drilling under the river and look at alternate routes -- preventing the completion of the pipeline for now.

Protesters also tried to stop the pipeline from crossing the Des Moines River, confronting workers. But they weren't successful.

Carolyn Raffensperger, executive director for the Iowa-based environmental group Science and Environmental Health Network, noted the frustration she felt while watching the drilling and pipe installation. She has filed legal challenges and criticized the regulatory process for pipeline permitting, saying the layers of bureaucracy makes it difficult for citizens to be heard in any significant way.

"The problem is a very little bit of oil can make a very big mess," she said. "We don't want to drink any oil."